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9 **Attorneys for Michael L. Montalvo**

10 **IN THE UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12 **UNITED STATES OF AMERICA,**

13 **Plaintiff,**

14 **v.**

15 **MICHAEL L. MONTALVO,**

16 **Defendant.**

) **Case No. CR-S-89-062-WBS**

)
) **STIPULATION AND (PROPOSED) ORDER**
) **EXTENDING TIME FOR FILING OF**
) **PETITIONER'S REPLY BRIEF**

17 _____
18
19 **STIPULATION**

20 Because of a myriad of information and issues presented by the government's Responsive Brief, and
21 because the defense needs to conduct some additional investigation concerning the same, as well as the
22 need for further discussions with former trial counsel, Mr. E. Richard Walker, concerning some of the
23 information contained within said brief, the Petitioner needs additional time to prepare its Reply Brief.
24 Mr. Walker has not been reachable as he has apparently recently undergone back surgery, and counsel
25 needs to give him some recovery time before dealing with some of the issues which now appear to be on
26 the table.

27 **////**

28 **////**

1 The government and the petitioner hereby stipulate to an extension of time within which petitioner
2 may file Petitioner's Reply Brief, from the present due date of June 3, 2013 to a new and different date of
3 **Wednesday, July 3, 2013.** The balance of the Court's previous order of March 21, 2013, i.e. that upon
4 the filing of the Petitioner's Reply Brief the Court "will take the motion under submission and will inform
5 the parties if oral argument or further proceedings are necessary," shall remain in full force and effect.

6 **It is so stipulated.**

7
8 **Dated: May 28, 2013**

9 */s/ Mr. Philip A. Ferrari, Esq. (by rmh)*

10 _____
11 **Mr. Philip A. Ferrari, Esq.**
12 **Assistant United States Attorney**
13 **Counsel for Respondent**

14 **Dated: May 28, 2013**

15 */s/ Mr. William E. Bonham, Esq. (by rmh)*

16 _____
17 **Mr. William E. Bonham, Esq.**
18 **Counsel for Petitioner, Michael Montalvo**

19 **Dated: May 28, 2013**

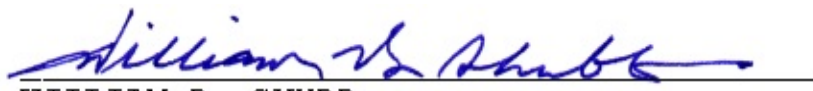
20 */S/ Mr. Robert M. Holley, Esq.*

21 _____
22 **Mr. Robert M. Holley, Esq.]**
23 **Counsel for Petitioner, Michael Montalvo**

24 **ORDER**

25 **GOOD CAUSE APPEARING, IT IS SO ORDERED.**

26 **Dated: May 29, 2013**

27 
28 **WILLIAM B. SHUBB**
UNITED STATES DISTRICT JUDGE